

UNITED STATES DISTRICT COURT
OFFICE OF THE CLERK
DISTRICT OF MARYLAND

Felicia C. Cannon, Clerk

December 3, 2004

Reply to Northern Division Address

United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

04CR1036 (DLI)

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT, E.D.N.Y.

* DEC 07 2004 *

BROOKLYN OFFICE

Re: USA vs. Joseph Benjamin
Civil Action No.:
Criminal Action No.: 98-0424

Dear Clerk:

[] On 12/3/2004, an Order was filed transferring the above-captioned case to your Court. Enclosed is a certified copy of the Order and docket entries. Also enclosed are all the original papers on file.

[X] On 12/3/2004, an Order was filed accepting jurisdiction by your court in this case. Enclosed are certified copies of the Transfer of Jurisdiction (Prob 22), Indictment, Judgment and Commitment, and docket entries.

[] Consent of the Defendant and approval of the United States Attorney having been received, this matter is being transmitted to your Court pursuant to Fed. R. Crim. P. 20(a). Enclosed are all the original papers on file.

Kindly acknowledge receipt of the enclosed on the duplicate copy of this letter and indicate the case number assigned in your District in the area provided below.

Thank you for your cooperation and courtesy in this matter.

Sincerely,

Felicia C. Cannon, Clerk

By: J Lewis
Deputy Clerk

Enclosure

Received by: _____

Date: _____

New Case No.: _____

Letter Transferring Case (Rev. 02/26/2002)

Northern Division • 4415 U.S. Courthouse • 101 W. Lombard Street • Baltimore, Maryland 21201 • 410-962-2600
Southern Division • 240 U.S. Courthouse • 6500 Cherrywood Lane • Greenbelt, Maryland 20770 • 301-344-0660

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United States District Court
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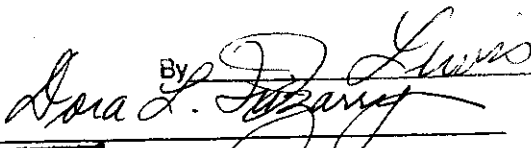
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PROB 22 (Rev. 2/88)		DOCKET NUMBER (Tran. Court) CCB-98-0424-006	
TRANSFER OF JURISDICTION		CR04 1036	
NAME AND ADDRESS OF PROBATIONER/SUPERVISED RELEASEE BENJAMIN, Joseph	DISTRICT Maryland	DIVISION Baltimore	
	NAME OF SENTENCING JUDGE IRIZARRY, J.		
	DATES OF PROBATION/SUPERVISED RELEASE:	FROM GO M.J.	
OFFENSE: Conspiracy to Distribute and Possession with Intent to Distribute a Mixture Containing Hydrochloride and Cocaine Base, in violation of 21:USC:846.			
PART 1 - ORDER TRANSFERRING JURISDICTION			
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND			
IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the supervised releasee named above be transferred with the records of the Court to the United States District Court for the Eastern District of New York upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of probation or supervised release may be changed by the District Court to which this transfer is made without further inquiry of this Court.*			
<u>11/9/04</u> Date		 Honorable Catherine C. Blake U.S. District Judge	
*This sentence may be deleted in the discretion of the transferring Court.			
PART 2 - ORDER ACCEPTING JURISDICTION			
UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK			
IT IS HEREBY ORDERED that jurisdiction over the above-named supervised releasee be accepted and assumed by this Court from and after the entry of this order.			
<u>November 29, 2004</u> Effective Date		By  Deputy United States District Judge	
A TRUE COPY DATED <u>11/30</u> 20 <u>04</u> ROBERT C. HEIDEMANN CLERK			

FILED
LODGED
ENTERED
RECEIVED

RECEIVED
U.S. MARSHAL
BALTIMORE, MD.

OCT 28 1998

ARW:VW:1997R01841

AT BALTIMORE
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND
DEPUTY

OCT 29 11 51 PM '98
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA :

v. :

ODESSA CASH, :
a/k/a "Psych", :
ISAIAH WHALEY, :
a/k/a "I", :
KHALIL HASSAN, :
a/k/a "Lil", :
BERTRAND LEVON CURTIS, :
a/k/a "X", :
CHARLES JAMAL WHALEY, :
a/k/a "Boom", :
JOSEPH BENJAMIN, :
a/k/a "Six", :
MARK WILLIAMS, :
a/k/a "Ice", :
MICHAEL WILLIAMS, :
a/k/a "Mason", :
a/k/a "Dreds", :
and :
ANTHONY BONNER, :
a/k/a "Tone", :

Criminal No. CCB-98-0424
(Conspiracy to Distribute and
Possess with Intent to
Distribute Cocaine Hydro-
chloride and Cocaine Base,
21 U.S.C. §846; Kidnapping,
18 U.S.C. §1201(a)(1); Aiding
and Abetting, 18 U.S.C. §2)

Defendants. :

::::::::::::::::::::

INDICTMENT

The Grand Jury for the District of Maryland charges that:

COUNT ONE

Beginning in or about the summer of 1994, up to and including
January 4, 1998, within the State and District of Maryland, the

State of New York, the Eastern District of Pennsylvania, and elsewhere,

ODESSA CASH, a/k/a "Psych",
ISAIAH WHALEY, a/k/a "I",
KHALIL HASSAN, a/k/a "Lil",
BERTRAND LEVON CURTIS, a/k/a "X",
CHARLES JAMAL WHALEY, a/k/a "Boom",
JOSEPH BENJAMIN, a/k/a "Six",
MARK WILLIAMS, a/k/a "Ice",
MICHAEL WILLIAMS, a/k/a "Mason", a/k/a "Dreds",
and
ANTHONY BONNER, a/k/a "Tone",

defendants herein, did knowingly, intentionally and unlawfully combine, conspire, confederate and agree with each other and with persons known and unknown to the Grand Jury, to knowingly, unlawfully and intentionally distribute and possess with intent to distribute a quantity of a mixture or substance containing a detectable amount of cocaine hydrochloride, a Schedule II narcotic controlled substance, and a quantity of a mixture or substance containing a detectable amount of cocaine base, commonly known as "crack," also a Schedule II narcotic controlled substance, all in violation of Title 21, United States Code, § 841(a)(1).

OBJECT OF THE CONSPIRACY

At all times materials herein, the object of the charged defendants and other coconspirators was to obtain quantities of cocaine hydrochloride and cocaine base with the intent to

distribute said substances for the purpose of making money.

METHOD AND MEANS USED TO FACILITATE THE CONSPIRACY

Among the methods and means used by the defendants and other coconspirators to carry out the object of the conspiracy were the following:

a. Certain members of the conspiracy maintained distinct roles in furthering the objectives of the conspiracy. **ODESSA CASH, a/k/a "Psych"**, supervised the organization and provided the cocaine hydrochloride for cooking into cocaine base for distribution. **BERTRAND LEVON CURTIS, a/k/a "X"**, and **JOSEPH BENJAMIN, a/k/a "Six"**, acted as lieutenants for the organization by overseeing the day to day street level distribution of the cocaine base. **ISAIAH WHALEY, a/k/a "I"**, **KHALIL HASSAN, a/k/a "Lil"**, **CHARLES JAMAL WHALEY, a/k/a "Boom"**, **MICHAEL WILLIAMS, a/k/a "Mason"**, **a/k/a "Dreds"**, and **ANTHONY BONNER, a/k/a "Tone"**, obtained multi-ounce quantities of cocaine hydrochloride and cocaine base from **ODESSA CASH, a/k/a Psych**, for distribution in the West End area of Hagerstown, Maryland.

b. Members of the conspiracy used threats of violence, knives, firearms and other means to protect their drugs, the cash proceeds derived from the street level distribution of their cocaine, and their area of drug distribution.

c. Members of the conspiracy used different locations to

stash and secrete their drugs, drug proceeds, firearms, and other drug paraphernalia, including, but not limited to, the following locations in Hagerstown, Maryland: 111 Winter Street, 671 Highland Way, 901 & 903 Lanvale Street, 812 Main Street, 1401 Haven Road, and 16612 F Spiceberry Court.

d. In order to maintain their ongoing drug operation, members of the conspiracy used cellular telephones and digital display pagers, or beepers, to maintain contact with one another.

e. The area of street level distribution utilized by members of this conspiracy was in and around the West End housing projects, most prominently the streets of Lanvale and Ross, in Hagerstown, Maryland. The hours of operation were from approximately 9:00 a.m. until 3:00 a.m., seven days a week.

OVERT ACTS

In furtherance of the conspiracy, and to effect the object thereof, members of the conspiracy did perform, participate in, and commit the following acts, among others:

1. On or about June 8, 1995, **ODESSA CASH, a/k/a "Psych"**, wrote a letter to Eric Williams, a/k/a Supreme, setting forth the parameters for membership in the organization.

2. On or about January 12, 1996, **ODESSA CASH, a/k/a "Psych"**, verbally threatened a rival drug dealer in an effort to obtain

exclusive control of the West End cocaine base trade.

3. On or about January 13, 1996, **ODESSA CASH, a/k/a "Psych"**, and other members of the conspiracy shot Eric Turner to assert control over the West End drug area.

4. On or about August 8, 1996, **ODESSA CASH, a/k/a "Psych"**, slashed the face of Kevin Sanders in Hagerstown, Maryland to assert control over the West End drug trade.

5. On or about September 12, 1996, **ODESSA CASH, a/k/a "Psych"**, possessed 240 grams of cocaine base, 4 grams of cocaine hydrochloride and a 9 mm handgun in Baltimore, Maryland.

6. On or about May 12, 1997, **ODESSA CASH, a/k/a "Psych"**, and Eric Williams, a/k/a "Supreme", transported approximately 375 grams of cocaine hydrochloride from New York to Baltimore, Maryland, which they cooked into cocaine base for distribution in Hagerstown by members of the conspiracy.

7. On or about July 6, 1997, **ODESSA CASH, a/k/a "Psych"**, and Eric Williams, a/k/a "Supreme", pistol whipped and beat **ISAIAH WHALEY, a/k/a "I"**, **KHALIL HASSAN, a/k/a "Lil"**, and **JOSEPH BENJAMIN, a/k/a "Six"**, in an effort to maintain control of the West End drug trade.

8. On or about July 6, 1997, Eric Williams, a/k/a "Supreme", was shot and killed during the assault of **ISAIAH WHALEY, a/k/a "I"**,

KHALIL HASSAN, a/k/a "Lil", and JOSEPH BENJAMIN, a/k/a "Six".

9. On or about July 7, 1997, members of the conspiracy possessed approximately one-quarter ounce of cocaine base in 16612 F Spiceberry Court, Hagerstown, Maryland.

10. On and about July 9, 1997, in an apartment located at 671 Highland Way, Hagerstown, Maryland, members of the conspiracy possessed a .22 caliber handgun, a trace amount of cocaine base, drug proceeds totaling \$4,210.00, and various items of drug paraphernalia, including: an electronic scale, a razor blade, a can with a false bottom, and a large quantity of baggies.

11. On or about August 25, 1997, **BERTRAND LEVON CURTIS, a/k/a "X"**, possessed 13 pieces of cocaine base in Hagerstown, Maryland.

12. On or about September 17, 1997, **ANTHONY BONNER, a/k/a "Tone"**, distributed approximately 4.53 grams of cocaine base at or near Nottingham Road and W. Washington Street, Hagerstown, Maryland.

13. On or about October 8, 1997, **ANTHONY BONNER, a/k/a "Tone"**, distributed approximately 3.72 grams of cocaine base at or near the 1300 block of W. Washington Street, Hagerstown, Maryland.

14. On October 23, 1997, **ANTHONY BONNER, a/k/a "Tone"**, distributed approximately 14.7 grams of cocaine base at or near

East Place and Concord Street in the West End area of Hagerstown.

15. On or about October 30, 1997, **ANTHONY BONNER, a/k/a "Tone"**, distributed approximately .44 grams of cocaine base at or near Nottingham Road, Hagerstown, Maryland.

16. On or about November 3, 1997, an unindicted coconspirator distributed approximately .70 grams of cocaine base at or near 111 Winter Street, Hagerstown, Maryland.

17. On or about November 6, 1997, an unindicted coconspirator distributed approximately 1.20 grams of cocaine base at or near the 800 block of Salem Avenue, Hagerstown, Maryland.

18. On or about November 6, 1997, **ANTHONY BONNER, a/k/a Tone"**, distributed approximately 19.3 grams of cocaine base at or near the 1000-1100 blocks of W. Washington Street, Hagerstown, Maryland.

19. On or about November 13, 1997 at 111 Winter Street, Hagerstown, Maryland, members of the conspiracy possessed approximately 27.49 grams of cocaine hydrochloride, and two firearms: a .357 Smith and Wesson revolver, serial number N550275, and a .38 H&R Smith and Wesson chrome plated revolver.

20. On or about January 4, 1998, **MARK WILLIAMS, a/k/a "Ice"**, did kidnap and transport in interstate commerce Kevin Sanders to

prevent him from testifying against **ODESSA CASH**, a/k/a "**Psych**", in the Circuit Court for Washington County, Maryland.

21 U.S.C. §846

COUNT TWO

The Grand Jury for the District of Maryland further charges:

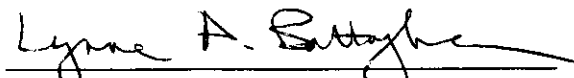
On or about January 4, 1998, in the State and District of Maryland, and the Eastern District of Pennsylvania,

ODESSA CASH, a/k/a "Psych",
and
MARK WILLIAMS, a/k/a "Ice",

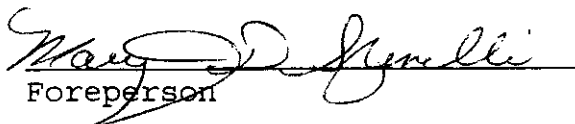
defendants herein, did willfully transport in interstate commerce from the State and District of Maryland to the Eastern District of Pennsylvania Kevin Sanders, an adult male, who had been willfully and unlawfully seized, confined, inveigled, decoyed, kidnapped, abducted, carried away, and held by said defendants for ransom or reward or otherwise.

18 U.S.C. § 1201(a)(1)

18 U.S.C. § 2


Lynne A. Battaglia
United States Attorney

A TRUE BILL:


Foreperson

10/28/98
Date

12-3-04
I hereby attest and certify that the foregoing document is a full, true and correct copy of the original in my possession and in my legal custody.

By  Deputy

United States District Court

District of Maryland

APR 21 2000
 AT BALTIMORE
 CLERK U.S. DISTRICT COURT
 DISTRICT OF MARYLAND
 DEPUTY

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed on or After November 1, 1987)

v.

Case Number: CCB -98-0424

JOSEPH BENJAMIN

Defendant's Attorney: DONALD H. FEIGE, ESQ.

Assistant U.S. Attorney: CHRISTINE MANUELIAN

THE DEFENDANT:

- ☒ pleaded guilty to count One (1)
☐ pleaded nolo contendere to count(s) _____, which was accepted by the court.
☐ was found guilty on count(s) _____ after a plea of not guilty.

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
21:846	CONSPIRACY TO DISTR. AND POSS. WITH INTENT TO DISTR. A MIXTURE CONT. COCAINE HYDROCHLORIDE AND COCAINE BASE	1/4/98	1

The defendant is adjudged guilty and sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s) _____
☐ Count(s) _____ (is)(are) dismissed on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's SSN: 059-62-6502
 Defendant's Date of Birth: 1-3-78
 Defendant's U.S.M. No.: 33484-037

Defendant's Residence Address:
 C/O CLARICE VINES
 626 MARCY AVENUE
 BROOKLYN, NEW YORK 11206

Defendant's Mailing Address:
 Same as above

APRIL 20, 2000

Date of Imposition of Judgment

C. C. Blake
CATHERINE C. BLAKE
UNITED STATES DISTRICT JUDGE

Date

I hereby declare and certify that the foregoing document is a true and correct copy of the judgment as rendered and in my legal custody.

By

Deputy

MICROFILMED

Name of Court Reporter: LISA BANKINS

APR 21 2000

CM 4/21/00

162

DEFENDANT: JOSEPH BENJAMIN

CASE NUMBER: CCB -98-0424

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 51 months.

☒ The court makes the following recommendations to the Bureau of Prisons: that the inmate be placed in a facility consistent with his security level that is as close as possible to New York City and that the defendant participate in any substance abuse program for which he may be eligible.

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ a.m./p.m. on _____.

☐ as notified by the United States Marshal.

☐ The defendant shall surrender, at his/her own expense, to the institution designated by the Bureau of Prisons at the date and time specified in a written notice to be sent to the defendant by the United States Marshal. If the defendant does not receive such a written notice, defendant shall surrender to the United States Marshal:

☐ before 2 p.m. on _____.

A defendant who fails to report either to the designated institution or to the United States Marshal as directed shall be subject to the penalties of Title 18 U.S.C. §3146. If convicted of an offense while on release, the defendant shall be subject to the penalties set forth in 18 U.S.C. §3147. For violation of a condition of release, the defendant shall be subject to the sanctions set forth in Title 18 U.S.C. §3148. Any bond or property posted may be forfeited and judgment entered against the defendant and the surety in the full amount of the bond.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____ at _____
_____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By: _____
DEPUTY U.S. MARSHAL

DEFENDANT: JOSEPH BENJAMIN**CASE NUMBER: CCB -98-0424****SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years.

The defendant shall comply with all of the following conditions:

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

STATUTORY CONDITIONS OF SUPERVISED RELEASE

The defendant shall not commit any federal, state or local crime.

In any felony case, the defendant shall not possess a firearm as defined in 18 U.S.C. §921.

The defendant shall not illegally use or possess a controlled substance.

The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

☐ The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)

If this judgment imposes any criminal monetary penalty, including special assessment, fine, or restitution, it shall be a condition of supervised release that the defendant pay any such monetary penalty that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment. The defendant shall notify the court of any material change in the defendant's economic circumstances that might affect the defendant's ability to pay restitution, fines, or special assessments.

STANDARD CONDITIONS OF SUPERVISION

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) The defendant shall support his or her dependents and meet other family responsibilities;
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) The defendant shall notify the probation officer ten days prior to any change in residence or employment;
- 7) The defendant shall refrain from excessive use of alcohol;
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any persons convicted of a felony unless granted permission to do so by the probation officer;
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) The defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer;
- 12) The defendant shall notify the probation officer within 72 hours of being charged with any offense, including a traffic offense;
- 13) The defendant shall not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the court;
- 14) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: JOSEPH BENJAMIN

CASE NUMBER: CCB -98-0424

**SUPERVISED RELEASE
ADDITIONAL CONDITIONS**

The defendant shall satisfactorily participate in a treatment program approved by the probation officer relating to substance and/or alcohol abuse, which may include evaluation, counseling, and testing as deemed necessary by the probation officer.

DEFENDANT: JOSEPH BENJAMIN

CASE NUMBER: CCB -98-0424

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth on Sheet 5, Part B.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
Totals:	\$ 100.00	\$	\$

☐ If applicable, restitution amount ordered pursuant to plea agreement. \$

FINE

The defendant shall pay interest on any fine of more than \$2,500, unless the fine is paid in full before the 15th day after the date of judgment, pursuant to 18 U.S.C. §3612(f). All of the payment options on Sheet 5, Part B may be subject to penalties for default and delinquency pursuant to 18 U.S.C. §3612(g).

☒ The court has determined that the defendant does not have the ability to pay a fine; therefore, a fine is waived.

☐ The court has determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ The interest requirement is waived.

☐ The interest requirement is modified as follows:

RESTITUTION

☐ The determination of restitution is deferred until _____. An Amended Judgment in a Criminal Case will be entered after such determination.

☐ The defendant shall make restitution to the following payees in the amounts listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportional payment unless specified otherwise in the priority order or percentage payment column below.

<u>Name of Payee</u>	<u>Amount of Restitution Ordered</u>	<u>Priority Order or Percentage of Payment</u>
----------------------	--	--

DEFENDANT: JOSEPH BENJAMIN

CASE NUMBER: CCB -98-0424

SCHEDULE OF PAYMENTS

Payments shall be applied in the following order: (1) assessment; (2) restitution; (3) fine principal; (4) cost of prosecution; (5) interest; and (6) penalties.

Payment of the total fine and other criminal monetary penalties shall be due as follows:

- A ☒ In full immediately; or
- B ☐ \$_____ immediately, balance due (in accordance with C, D, or E); or
- C ☐ Not later than _____; or
- D ☐ Installments to commence _____ day(s) after the date of this judgment.
- E ☐ In _____ (e.g. *equal weekly, monthly, quarterly*) installments of \$_____ over a period of _____ year(s) to commence when the defendant is placed on supervised release.

The defendant will receive credit for all payments previously made toward any criminal monetary penalties imposed.

Unless the court expressly orders otherwise, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment through the Bureau of Prisons' Inmate Financial Responsibility Program.

If the entire amount of criminal monetary penalties is not paid prior to the commencement of supervision, the balance shall be paid:

- ☐ in equal monthly installments during the term of supervision; or
- ☐ on a nominal payment schedule of \$_____ per month during the term of supervision.

The U.S. probation officer may recommend a modification of the payment schedule depending on the defendant's financial circumstances.

Special instructions regarding the payment of criminal monetary penalties:

- ☐ Joint and Several with:
- ☐ The defendant shall pay the following costs of prosecution and/or court costs:
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

CLOSED

**U.S. District Court
District of Maryland (Baltimore)
CRIMINAL DOCKET FOR CASE #: 1:98-cr-00424-CCB-6
Internal Use Only**

Case title: USA v. Cash, et al
Other court case number(s): None
Magistrate judge case number(s): None

Date Filed: 10/28/98

Assigned to: Judge Catherine C. Blake
Referred to:

Defendant(s)

Joseph Benjamin (6)
TERMINATED: 04/21/2000

represented by **Donald H Feige**
Law Office of Donald H Feige
9407 Harford Rd
Baltimore, MD 21234
14108821030
Fax : 14108821031
Email: dofeige@aol.com
TERMINATED: 04/21/2000
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

aka
"Six" (6)

Pending Counts

Disposition

Defendant is committed to the custody of U.S. Bureau of Prisons for a total term of 51 months. The Court makes the recommendation to the Bureau of Prisons that the inmate be placed in a facility consistent with his security level that is as close as possible to NYC and

21:846 - Conspiracy to Distribute and Possess with Intent to Distribute a Mixture Containing Cocaine Hydrochloride and Cocaine Base
(1)

that the defendant participate in any substance abuse program for which he may be eligible. Supervised Release for a term of 3 years with the Additional Special Condition that defendant shall satisfactorily participate in a treatment program approved by the Probation Officer relating to substance and/or alcohol abuse, which may include evaluation, counseling, and testing as deemed necessary by the Probation Officer. Special Assessment of \$100.00 to be paid in full immediately.

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Plaintiff**USA**

represented by **Christine Manuelian**
 Office of the United States Attorney
 U S Courthouse Federal Garmatz
 Bldg
 101 W Lombard St Sixth Fl
 Baltimore, MD 21201
 14102094800
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lynne A Battaglia
 Court of Appeals of Maryland
 361 Rowe Boulevard
 Annapolis, MD 21401
 14102601565
 Fax : 14109745092

Filing Date	#	Docket Text
10/28/1998	1	INDICTMENT as to Odessa Cash (1) count(s) 1, 2, Isiah Whaley (2) count(s) 1, Khalil Hassan (3) count(s) 1, Bertrand Levon Curtis (4) count(s) 1, Charles Jamal Whaley (5) count(s) 1, Joseph Benjamin (6) count(s) 1, Mark Williams (7) count(s) 1, 2, Michael Williams (8) count(s) 1, Anthony Bonner (9) count(s) 1 (mms, Deputy Clerk) (Entered: 10/29/1998)
10/28/1998		**Added Government Attorney Lynne A. Battaglia, Christine Manuelian as to Odessa Cash, Isiah Whaley, Khalil Hassan, Bertrand Levon Curtis, Charles Jamal Whaley, Joseph Benjamin, Mark Williams, Michael Williams, Anthony Bonner (mms, Deputy Clerk) (Entered: 10/29/1998)
10/28/1998	2	MOTION by USA as to Odessa Cash, Isiah Whaley, Khalil Hassan, Bertrand Levon Curtis, Charles Jamal Whaley, Joseph Benjamin, Mark Williams, Michael Williams, Anthony Bonner to Seal Indictment (mms, Deputy Clerk) (Entered: 10/29/1998)
10/28/1998	2	MARGINAL ORDER granting [2-1] motion to Seal Indictment as to Odessa Cash (1), Isiah Whaley (2), Khalil Hassan (3), Bertrand Levon Curtis (4), Charles Jamal Whaley (5), Joseph Benjamin (6), Mark Williams (7), Michael Williams (8), Anthony Bonner (9) (Signed by Magistrate Judge Paul W. Grimm 10/28/98) (mms, Deputy Clerk) (Entered: 10/29/1998)

10/28/1998	8	MOTION by USA as to Joseph Benjamin for issuance of Bench warrant (mms, Deputy Clerk) (Entered: 10/29/1998)
10/28/1998	8	MARGINAL ORDER granting [8-1] motion for issuance of Bench warrant as to Joseph Benjamin (6) (Signed by Magistrate Judge Paul W. Grimm 10/28/98) (mms, Deputy Clerk) (Entered: 10/29/1998)
10/29/1998	17	Arrest WARRANT issued as to Joseph Benjamin (mms, Deputy Clerk) (Entered: 10/29/1998)
01/07/1999	34	WRIT of Habeas Corpus ad Prosequendum issued for 1/27/99 as to Joseph Benjamin and Order directing issuance of said Writ as prayed. (Signed: Mag. Judge Paul W. Grimm, 1/6/99) (c/hd USMS 1/7/99) (mms, Deputy Clerk) (Entered: 01/08/1999)
01/20/1999		**Set Sealed Flag. (mms, Deputy Clerk) (Entered: 01/20/1999)
01/21/1999		Initial appearance as to Joseph Benjamin held before Magistrate Judge Susan K. Gauvey (ER: Joyce Smith) (Defendant informed of rights.) (mms, Deputy Clerk) (Entered: 01/22/1999)
01/21/1999	39	CJA 23 FINANCIAL AFFIDAVIT by Joseph Benjamin (mms, Deputy Clerk) (Entered: 01/22/1999)
01/21/1999	40	ORDER OF TEMPORARY DETENTION Pending Hearing Pursuant to Bail Reform Act as to Joseph Benjamin (Signed by Magistrate Judge Susan K. Gauvey 1/21/99) (c/hd 1/21/99 js) (mms, Deputy Clerk) (Entered: 01/22/1999)
01/26/1999		Detention hearing as to Joseph Benjamin held before Magistrate Judge Daniel E. Klein Jr. (ER: C. Roberts) (mms, Deputy Clerk) (Entered: 01/27/1999)
01/26/1999	49	NOTICE of Appearance for Joseph Benjamin by Attorney Donald H. Feige (mms, Deputy Clerk) (Entered: 01/27/1999)
01/26/1999	51	ORDER OF DETENTION By Agreement as to Joseph Benjamin (Signed by Magistrate Judge Daniel E. Klein Jr. 1/26/99) (c/m 1/26/99 cr) (mms, Deputy Clerk) (Entered: 01/27/1999)
01/29/1999	52	CJA 20 as to Joseph Benjamin : Appointment of Attorney Voucher # 1062712 (Signed by Magistrate Judge Susan K. Gauvey 1/25/99) (c/m 1/25/99) (jlb, Deputy Clerk) (Entered: 01/29/1999)
01/29/1999		**Address labels only (jlb, Deputy Clerk) (Entered: 01/29/1999)

02/05/1999		Arraignment as to Joseph Benjamin, Not Guilty: Joseph Benjamin (6) count(s) 1 held before Magistrate Judge Susan K. Gauvey (ER: Tony Stover) (mms, Deputy Clerk) (Entered: 02/08/1999)
02/08/1999	64	MOTION by USA as to Odessa Cash, Isiah Whaley, Khalil Hassan, Bertrand Levon Curtis, Charles Jamal Whaley, Joseph Benjamin, Mark Williams, Michael Williams, Anthony Bonner to Unseal Indictment (mms, Deputy Clerk) (Entered: 02/08/1999)
02/08/1999	64	MARGINAL ORDER granting [64-1] motion to Unseal Indictment as to Odessa Cash (1), Isiah Whaley (2), Khalil Hassan (3), Bertrand Levon Curtis (4), Charles Jamal Whaley (5), Joseph Benjamin (6), Mark Williams (7), Michael Williams (8), Anthony (9) (Signed by Magistrate Judge Paul W. Grimm 2/5/99) (c/m 2/8/99 ms) (mms, Deputy Clerk) (Entered: 02/08/1999)
02/10/1999		**Remove sealed flag - case no longer sealed as to any party. (mms, Deputy Clerk) (Entered: 02/10/1999)
02/10/1999		**Remove Sealed Flag. (mms, Deputy Clerk) (Entered: 02/10/1999)
02/22/1999	79	SCHEDULING ORDER SETTING dates for plea negotiations, motions, pretrial and trial as to Odessa Cash, Isiah Whaley, Khalil Hassan, Bertrand Levon Curtis, Charles Jamal Whaley, Joseph Benjamin, Mark Williams, Michael Williams, Anthony Bonner setting (Signed by Judge Catherine C. Blake 2/22/99) (c/m 2/22/99 chambers) (mms, Deputy Clerk) (Entered: 02/23/1999)
03/05/1999	80	ORDER as to Odessa Cash, Isiah Whaley, Khalil Hassan, Bertrand Levon Curtis, Charles Jamal Whaley, Joseph Benjamin, Mark Williams, Michael Williams, Anthony Bonner CONTINUING trial of case until September 13, 1999 and that the period of delay from scheduling conference date of 2/19/99 until the start of trial will be excluded in order to allow time for adequate preparation and resolution of pretrial motions and to insure defendant's effective representation by counsel. (Signed by Judge Catherine C. Blake 3/3/99) (c/m 3/5/99 bc) (mms, Deputy Clerk) (Entered: 03/05/1999)
04/26/1999	93	CONSOLIDATED MOTIONS RESPONSE by USA as to Odessa Cash, Isiah Whaley, Khalil Hassan, Bertrand Levon Curtis, Charles Jamal Whaley, Joseph Benjamin, Mark Williams, Michael Williams, Anthony Bonner and Exhibit A (c/s) (mms, Deputy Clerk) (Entered: 04/26/1999)
08/20/1999	116	WRIT of Habeas Corpus ad Prosequendum issued for 9/2/99 as to Joseph Benjamin and Order (Signed: Magistrate Daniel E. Klein, 8/20/99) DIRECTING issuance of said Writ as prayed. (mms, Deputy Clerk) (Entered: 08/23/1999)

08/20/1999	123	WRIT of Habeas Corpus ad Prosequendum issued for 9/13/99 as to Joseph Benjamin and ORDER (Signed: Daniel E. Klein, 8/20/99) DIRECTING issuance of said Writ as prayed. (cc/d USMS 8/20/99) (mms, Deputy Clerk) (Entered: 08/23/1999)
09/17/1999	126	REVISED SCHEDULING ORDER as to Odessa Cash, Isiah Whaley, Khalil Hassan, Bertrand Levon Curtis, Charles Jamal Whaley, Joseph Benjamin, Mark Williams, Michael Williams, Anthony Bonner (Signed by Judge Catherine C. Blake 9/17/99) (c/m 9/17/99 chambers) (mms, Deputy Clerk) (Entered: 09/17/1999)
12/22/1999	130	ORDER that a motions hearing is scheduled (Signed by Judge Catherine C. Blake 12/22/99) (cm by chambers) (amf, Deputy Clerk) (Entered: 12/23/1999)
01/07/2000		Rearrangement as to Joseph Benjamin, Guilty: Joseph Benjamin (6) count(s) 1 Terminated motions held before Judge Catherine C. Blake (Court Reporter: Lisa Bankins) (mms, Deputy Clerk) (Entered: 01/10/2000)
01/07/2000		Imposition of Sentence suspended pending presentence investigation as to Joseph Benjamin (mms, Deputy Clerk) (Entered: 01/10/2000)
01/07/2000	136	Guideline Sentencing Order as to Joseph Benjamin (Signed by Judge Catherine C. Blake 1/7/00) (mms, Deputy Clerk) (Entered: 01/10/2000)
01/07/2000	133	SEALED DOCUMENT (mms, Deputy Clerk) (Entered: 01/19/2000)
01/07/2000	135	SEALED DOCUMENT (mms, Deputy Clerk) (Entered: 01/19/2000)
01/19/2000	139	ORDER DIRECTING THAT Documents/Pleadings #133 and #135 BE PLACED UNDER SEAL pending further Order of the Court. (Signed by Judge Catherine C. Blake 1/18/00) (c/m 1/19/00 ms) (mms, Deputy Clerk) (Entered: 01/19/2000)
01/21/2000		**Address labels only (mdw, Deputy Clerk) (Entered: 01/21/2000)
01/21/2000	142	WRIT of Habeas Corpus ad Prosequendum issued for DORIS HARRISON on 1/25/00 and Order (Mag. J. Bredar, 1/21/00) directing issuance of said Writ as prayed. (cc USAO - Agents to serve) (mms, Deputy Clerk) (Entered: 01/21/2000)
01/21/2000	143	WRIT of Habeas Corpus ad Prosequendum issued as to BARBARA HOFFMAN for 1/25/00 and Order (Mag. Judge Bredar 1/21/00) directing issuance of said Writ as prayed. (cc USAO-Agents to serve) (mms, Deputy Clerk) (Entered: 01/21/2000)

01/27/2000	145	WRIT of Habeas Corpus ad Prosequendum issued for Kevin Sanders for 1/27/00 and Order (Magistrate Judge Paul Grimm 1/27/00) directing issuance of said Writ as prayed. (cc USAO for Agent to pick up) (mms, Deputy Clerk) (Entered: 01/28/2000)
02/22/2000		**Address labels only (mms, Deputy Clerk) (Entered: 02/23/2000)
02/24/2000	153	WRIT of Habeas Corpus ad Prosequendum issued as to Joseph Benjamin for 4/20/00 and ORDER directing issuance of said Writ as prayed. (Signed: Mag. Judge Daniel E. Klein, 2/24/00)(cc USMS 2/24/00) (mms, Deputy Clerk) (Entered: 02/25/2000)
04/20/2000		Sentencing: Joseph Benjamin (6) count(s) 1 held before Judge Catherine C. Blake. (Court Reporter: Lisa Bankins) (kam, Deputy Clerk) (Entered: 04/20/2000)
04/20/2000	160	WRIT of Habeas Corpus ad Prosequendum issued as to Kevin Sanders for 4/28/00 and ORDER directing issuance of said Writ as prayed. (Signed: Magistrate Judge Daniel E. Klein, 4/20/00)(cc USAO 4/20/00) (mms, Deputy Clerk) (Entered: 04/21/2000)
04/20/2000	161	WRIT of Habeas Corpus ad Prosequendum issued as to Doris Harrison for 4/28/00 and ORDER directing issuance of said Writ as prayed. (Signed: Magistrate Judge Daniel E. Klein, 4/20/00)(cc USAO 4/20/00) (mms, Deputy Clerk) (Entered: 04/21/2000)
04/21/2000	162	JUDGMENT Joseph Benjamin (6) count(s) 1. Defendant is committed to the custody of U.S. Bureau of Prisons for a total term of 51 months. The Court makes the recommendation to the Bureau of Prisons that the inmate be placed in a facility consistent with his security level that is as close as possible to NYC and that the defendant participate in any substance abuse program for which he may be eligible. Supervised Release for a term of 3 years with the Additional Special Condition that defendant shall satisfactorily participate in a treatment program approved by the Probation Officer relating to substance and/or alcohol abuse, which may include evaluation, counseling, and testing as deemed necessary by the Probation Officer. Special Assessment of \$100.00 to be paid in full immediately. (Signed by Judge Catherine C. Blake 4/21/00) (c/m & microfilmed 4/21/00 ms) (mms, Deputy Clerk) (Entered: 04/21/2000)
04/21/2000		**Termination of party Joseph Benjamin pending deadlines and pending motions as to Joseph Benjamin (mms, Deputy Clerk) (Entered: 04/21/2000)
04/28/2000	164	ARREST WARRANT Returned Unexecuted as to Joseph Benjamin - Appearance on a writ, tried and sentenced. (mms, Deputy Clerk)

		(Entered: 05/01/2000)
05/11/2000	172	WRIT of Habeas Corpus ad Prosequendum issued as to Kevin Sanders for 5/17/00 and Order directing issuance of said Writ as prayed. (Signed: Mag. Judge James K. Bredar, 5/11/00) (cc USAO 5/11/00 ms) (mms, Deputy Clerk) (Entered: 05/12/2000)
05/11/2000	173	WRIT of Habeas Corpus ad Prosequendum issued as to Doris Harrison for 5/17/00 and Order directing issuance of said Writ as prayed. (Signed: Mag. Judge James K. Bredar, 5/11/00)(cc USAO 5/11/00 ms) (mms, Deputy Clerk) (Entered: 05/12/2000)
06/12/2000		**Address labels only (mdd, Deputy Clerk) (Entered: 06/12/2000)
06/13/2000		**Address labels only (mdd, Deputy Clerk) (Entered: 06/13/2000)
06/14/2000		CASE reassigned from Judge Blake to Judge Unassigned (cag, Deputy Clerk) (Entered: 06/14/2000)
02/14/2001		**Address labels only (ko, Deputy Clerk) (Entered: 02/14/2001)
07/13/2001		Record on appeal returned from U.S. Court of Appeals: [185-1] appeal by Bertrand Levon Curtis (sls, Deputy Clerk) (Entered: 07/13/2001)
07/16/2001		**Remove appeal flag - no further appeals pending (sls, Deputy Clerk) (Entered: 07/16/2001)
12/28/2001		**Case closed as to Odessa Cash, Isiah Whaley, Khalil Hassan, Bertrand Levon Curtis, Charles Jamal Whaley, Joseph Benjamin, Mark Williams, Michael Williams, Anthony Bonner (all defendants). (mms, Deputy Clerk) (Entered: 12/28/2001)
12/28/2001		CASE reassigned from unassigned to Judge Catherine C. Blake (cag, Deputy Clerk) (Entered: 01/07/2002)
03/11/2002	222	MOTION by Joseph Benjamin to Vacate under 28 U.S.C. 2255 (Civil Action # CCB-02-741). (jlb, Deputy Clerk) (Entered: 03/11/2002)
03/14/2002	223	MOTION by Joseph Benjamin to Correct Judgment and Other Part of Record, Brought Pursuant to Rule 36 of FRCrP , or in the Alternative to Vacate [162-1] Judgment Order pursuant to 28 USC Section 2255 (c/s) (mms, Deputy Clerk) (Entered: 03/14/2002)
04/15/2002	225	MEMORANDUM OPINION as to Joseph Benjamin (Signed by Judge Catherine C. Blake 4/15/02) (Original Pleading located in Civil

No. CCB 02-741) (c/m & Microfilmed 4/16/02 ms) (mms, Deputy Clerk) (Entered: 04/16/2002)

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ORDER DENYING & DISMISSING with Prejudice [222-1] Motion to Vacate under 28 U.S.C. 2255 as to Joseph Benjamin and to the extent that Mr. Benjamin wishes to raise a 28 USC 2241 Habeas Corpus Claim challenging the award of pre-trial credits, CLAIM IS DISMISSED WITHOUT PREJUDICE. (Signed by Judge Catherine C. Blake 4/15/02) (Original Pleading located in Civil No. CCB 02-741) (c/i & Microfilmed 4/16/02 ms) (mms, Deputy Clerk) (Entered: 04/16/2002)

12-3-04

SECRET

By J. Lewis Deputy

United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201